MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2019/2020

PSL0012 – INTRODUCTION TO SYARIAH LAW

(All Sections / Groups)

7 MARCH 2020
2.30 p.m – 4.30 p.m
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This Question paper consists of THREE (3) pages with FIVE (5) Questions only.

2. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.

3. Students are allowed to bring into Examination Hall CLEAN and ORIGINAL copy of Translation of Al-Quran. "Clean" is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited. Students are not allowed to lend or borrow statute(s) and/or the Translation of Al-Quran during the Examination.

4. Please write all your answers in the Answer Booklet provided.

Answer FOUR questions only; THREE (3) questions from Part A and ONE (1) question from Part B. All answers must be in essay form.

PART A (75 MARKS): Answer ALL questions.

QUESTION 1

"O mankind! There hath come to you a direction from your lord and a healing for the (diseases) in your hearts – and for those who believe, a guidance and a Mercy."
- Surah Yunus (10):57)

The Quran is descriptive on the concept of Shariah. It is said to be the guidance, the teachings, the rulings and the way of life of a Muslim being. Allah s.w.t sent the final revelation to His Messenger, Prophet Muhammad pbuh, through the Quran for humanity to attain success in this world and hereafter.

Discuss the following Quranic descriptions on Shariah:

1. Islamic law calls human to believe in the Oneness of Allah (4 marks)
2. Educating the individual (*tahdhib al-fard*) (7 marks)
3. Justice (*'adl*) (3 marks)
4. Consideration of public interest (*maslahah*) (4 marks)
5. Reality of life in this world and hereafter (7 marks)

[Total: 25 marks]

QUESTION 2

The term *'Caliph'* or *'Khalifah'* refers to the successor of the Messenger of God, the Holy Prophet Muhammad pbuh. The Caliph acts as the head of the community in order to make sure that all laws are in accordance with the Qur'an and Sunnah after the Prophet's passing. Those Caliphs who truly followed in the Prophet's foot-steps are called 'The Rightly-Guided Caliphs' or *Khulafa' Ar-Rashidin.* They are the first four Caliphs namely Abu Bakar As-Siddiq, Umar Al-Khattab, Uthman bin Affan and Ali bin Abi Talib.

From the statement above, discuss the development of Shariah during the period of the Caliphs.

[Total: 25 marks]

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QUESTION 3

Al-Quran was revealed to the Prophet Muhammad pbuh for more than fourteen hundred years ago to be a book of guidance and a supreme authority in Islam and nothing can be above the Holy Al-Quran. The Islamic jurists unanimously agreed that Al-Quran is a primary source of law and the most authoritative, which is definitive. According to the statement above, discuss:

1) The stages of compilation of Al-Quran during the life of:
   a) The Prophet Muhammad pbuh (570-632 CE); (5 marks)
   b) The Caliph of Abu Bakar (632-634 CE); (5 marks)
   c) The Caliph of Uthman (644-656 CE) and; (2 marks)
   d) Three stages of dotting and diacritisation. (3 marks)

(15 marks)

2) The facts to prove that Al-Quran is the word of the God.

(10 marks)

[Total: 25 marks]

PART B (25 MARKS): Answer ONE (1) question only.

QUESTION 4

Amin was born into a Muslim family which emphasised Islamic values in everyday life. One day, he comes to learn that his friend, Aman is currently dating a non-Muslim woman, Lucy and he intends to marry her when he reaches 28 years old. Aman conveys his intention to Amin that he is no longer a Muslim and he does not perform 5 time prayers and keep consuming intoxicants. Amin is very worried about the situation as he does not want his friend to renounce the religion of Islam. Amin comes to you and seek your advice regarding this matter.

Advise Amin on the position of apostasy law in Malaysia as found in the Federal Constitution. Support your answers with all relevant authorities.

[Total: 25 marks]

Continued .....

QUESTION 5

Arthur is a non-Muslim graduate who just completed his Bachelor Degree in Law (LL. B) from the Multimedia University (MMU). He aims to finish his pupilage as soon as possible in order to be admitted as an advocate and solicitor in Malaysia. Since legal dualism is reflected by the civil and Islamic laws in Malaysia, he also thinks that he wants to become a Syarie lawyer. However, he learns that a non-Muslim cannot be admitted as a Syarie lawyer in Malaysia.

As his friend, Arthur comes to you and ask about the rationale of his inability to become a Syarie lawyer. He also wants to know the requirements and conditions to become a Syarie lawyer. Advise him and support your answer with relevant authorities.

[Total: 25 marks]

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